

Voice for Adoption

SPEAKING OUT FOR OUR NATION'S WAITING CHILDREN



Testimony of:
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U.S. House of Representatives Committee on Ways and Means
Subcommittee on Human Resources

For the hearing on:
Improving Programs Designed to Protect At-Risk Youth
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I would like to thank the Subcommittee for taking the time to hold a hearing on the reauthorization of two important child welfare programs that are currently in place to protect and serve our nation's children. I would also like to thank the committee for its interest in hearing perspectives for improvements to these programs from individuals who work on behalf of children and families.

This Subcommittee is tasked with an incredibly important and critical responsibility. Our national child welfare policies affect the everyday lives of children and families. The children who come to the attention of the child welfare system are at its mercy. Once a child welfare worker intervenes in a child's life their safety and well-being are our government's responsibility, both through policy and practice, to ensure that safety and permanence are a priority for that child. It is certain that this is a challenging task; balancing the interests of each of the key stakeholders, including the children, biological parents, relatives, and foster or adoptive parents, as the plan for safety and permanence are determined. The Promoting Safe and Stable Families program and the Stephanie Tubbs Jones Child Welfare program are vital vehicles to ensure that our nation's at-risk children get their needs met. These programs provide funding for valuable services that either allow children to be returned to their birth families or provide opportunities for children to find permanency, often through adoption, with other caring adults such as relatives or foster parents.

Voice for Adoption (VFA)¹ is a membership advocacy organization. We speak out for our nation's 115,000 waiting children in foster care. VFA members, who are spread across the country, recruit families to adopt special needs children and youth with special needs. Our members also provide vital support services both before and after adoption finalization to help adoptive families through the challenges they often face. We, like the members of this committee, are dedicated to finding permanent, loving families for every waiting child in foster care. We are also committed to ensuring that those children continue to have their needs met after they find their permanent families.

Over the years the federal government has invested in the promotion of adoption of children from foster care. Its most recent and significant dedication to adoption promotion came from the reauthorization and improvement of the Adoption Incentive Program through the Fostering Connections to Success and Increasing Adoptions Act of 2008. This committee championed the Fostering Connections legislation; the Adoption Incentive Program has in part led to the increased numbers of adoptions from foster care. The number of children adopted from foster care continues to rise; last year 57,000 children were adopted from foster care, up from 51,000 in 2005². We at Voice for

¹Voice for Adoption is a coalition whose Board is composed of Adopt America Network, Adoption Exchange Association, The Adoption Exchange Inc., Casey Family Services, Child Welfare League of America, Children Awaiting Parents, EMQ FamiliesFirst, Family Builders Network, Kinship Center, Latino Family Institute, New York Council on Adoptable Children, North American Council on Adoptable Children, Spaulding for Children-Michigan, and Three Rivers Adoption Council.

² U.S. Department of Health and Human Services, Administration for Children and Families, The AFCARS Report: Preliminary FY 2009 Estimates as of July 2010 (17). Retrieved June 15, 2011 from http://www.acf.hhs.gov/programs/cb/stats_research/index.htm#afcars

Adoption are encouraged by the increase in adoptions from foster care and our members thank Congress for investing in finding families for waiting children. As our system continues to strive for permanency through adoption we would like to shed light on the concern for post-adoption services. While many of the children in adoptive families fare well, some adopted children are in need of services post-finalization.

As you are aware, many of the children who are adopted from foster care have experienced emotional, psychological and developmental consequences from prior abuse and or neglect. Unfortunately these challenges follow them to their new homes and adoptive parents sometimes struggle to find support for the challenges their children are faced with. This is why Voice for Adoption and nearly 40 additional organizations came together this May to hold a Congressional briefing on this issue. We collectively created and endorsed a set of [policy recommendations](#) that we feel will begin to address the lack of post-adoption supports available to families. Among the list of recommendations are: the creation of a flexible and sustainable government funding source for post-adoption services, elimination of state policies that require parents to relinquish their rights to receive state mental health services³, an increased number of adoption competent professionals⁴, and support for research and evaluation of post-adoption service models.

The Promoting Safe and Stable Families (PSSF) legislation, under Title IV-B Subpart 2 of the Social Security Act, provides formula grants to child welfare agencies in four categories of services: family preservation, family support, time limited reunification and adoption promotion and support. As you work to reauthorize PSSF we hope you will consider strengthening the language to include a definition of pre and post-adoption services. Congress should acknowledge the essential role that these services play in providing the stability that children need after being adopted from foster care. Adoptive families need to be able to access a continuum of services, including support groups, case management, respite care and mental health services. Additionally, within this existing funding stream, post-adoption services are pitted against other important child welfare services like adoption promotion, forcing States to decide whether it is more important to recruit adoptive families or support them after they have adopted. Creating such a dilemma makes it harder for children to get their needs for both permanency and stability met. Furthermore, in their annual reports states are not required to differentiate the amount of funds spent on adoption promotion versus adoption support under this section, thus some states may not be providing any dollars on adoption support services. In fact some states submitted reports with zero spending in this category altogether and at least 10 states reported spending that did not come close to the twenty-percent allotment for adoption promotion and support⁵. Supplemental reporting in these states should be required to determine the reasons for unspent funding in the adoption category and areas for improvement should be identified.

³ The Bazelon Center of Mental Health Law reports that 21 states have some type of relinquishment statute, requiring parents to relinquish custody to the state to access state funded mental health services.

⁴ Adoptive families are outspoken about the unintentional harm caused by some professionals – mental health providers and others – when professionals do not understand the dynamics and impact of adoption and previous trauma on children’s overall development.

⁵ Congressional Research Service. Emilie Stoltzfus (June 2011). *Child Welfare: Funding for Child and Family Services Authorized Under Title IV-B of the Social Security Act*

In times of tight federal budgets we encourage Congress to examine an existing and justified source of funding that could be used to support post-adoption services. Congress acted to expand the federal adoption assistance eligibility, in the Fostering Connections to Success and Increasing Adoptions Act (Public Law 110-351). This eligibility is phased in over time until 2018 and states will continue to save money that would have been spent on state adoption assistance programs. Congress put a Maintenance of Effort (MoE) clause in the act to ensure freed-up state dollars would be re-invested into Title IV-B or IV-E programs. However, federal guidance issued indicated that agencies had the flexibility to determine savings and were not required to provide a specific accounting of these funds⁶. Adoptive families make a permanent commitment to their children, and VFA believes that Congress should make a commitment to providing ongoing support to help these families meet their children's needs. We encourage Congress to consider this option as a way to reinvest at-least-a portion of these funds – which are being generated from adoptions - into investing in sustaining adoptive families and ensuring their success. Adoption is a life-long experience, and children and families deserve support as the children move toward adulthood.

As you work to reauthorize and improve these programs I hope you will keep in mind the love, commitment, and sometimes solace adoptive families provide for their children, but more importantly, the time, patience and tenacity it takes to raise children with painful pasts. Adoptive families need our support as they care for our most precious children, raising them to be successful, productive individuals.

In closing we appreciate the proven dedication and unity of this Subcommittee, as your work on these issues remains a priority across party lines. We look forward to your continued efforts on behalf of waiting children in foster care, because a life without a family is detrimental for each waiting child and for our country.

⁶ U.S. Department of Health and Humans Services, Administration on Children, Youth and Families, Program Instruction ACYF-CB-PI-10-11, issued July 9, 2010. Retrieved June 20, 2011 from: http://www.acf.hhs.gov/programs/cb/laws_policies/policy/pi/2010/pi1011.htm#sectj